

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

MELISSA HILL,

Plaintiff,

v.

ORDER

Civil File No. 12-738 (MJD/AJB)

CITY OF MINNEAPOLIS, MINNEAPOLIS POLICE
DEPARTMENT, OFFICER AMY VREELAND,
THE UNITED STATES FEDERAL PROTECTIVE
SERVICE, FPR INSPECTOR JESSE RODRIGUEZ,
DECO, INC., TIMOTHY SARKELA, JOHN KANGA,
and MICHAEL THOMS,

Defendants.

Nadege J. Souvenir and William Z. Pentolovitch, Maslon Edelman Borman &
Brand, Teresa J. Nelson, ACLU of Minnesota, Counsel for Plaintiff.

David W. Fuller, Assistant United States Attorney, Counsel for Defendants
The United States Federal Protective Service and FPR Inspector Jesse Rodriguez.

The above-entitled matter comes before the Court upon the Report and
Recommendation of United States Chief Magistrate Judge Arthur J. Boylan dated
December 26, 2012. [Docket No. 59] Plaintiff Melissa Hill filed objections to the
Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of United States Chief Magistrate Judge Boylan filed December 26, 2012.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Chief Magistrate Judge Boylan dated December 26, 2012 [Docket No. 59].
2. Defendants The United States Federal Protective Service and FPS Inspector Jesse Rodriguez's Motion to Dismiss [Docket No. 36] is **GRANTED IN PART** and **DENIED IN PART** as follows:
 - a. The motion to dismiss Count I claims against The United States Federal Protective Service and FPS Inspector Jesse Rodriguez for actions taken in an official capacity is **GRANTED**;
 - b. Defendant The United States Federal Protective Service is **DISMISSED** as a Defendant in this action; and
 - c. The motion to dismiss Count I individual claims against FPS Inspector Jesse Rodriguez on qualified immunity grounds is **DENIED** without prejudice.

Dated: March 18, 2013

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court